

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Swain, et al.,

Plaintiffs,

ORDER

-against-

20 Civ. 617 (AEK)

Jodlowski, et al.,

Defendants.

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THE HONORABLE ANDREW E. KRAUSE, U.S.M.J.

In accordance with the Court’s order of November 5, 2021, ECF No. 41, the parties have submitted a revised proposed settlement agreement that addresses the deficiencies cited by the Court. ECF No. 42. Accordingly, pursuant to Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015), the Court hereby APPROVES as fair and reasonable the revised settlement agreement docketed at ECF No. 42-1 (“Settlement Agreement”).

In light of the Court’s approval of the Settlement Agreement, it is hereby ordered that this action is DISMISSED, without prejudice to restoring the action to the Court’s calendar provided that the application is made within 45 days of this Order. Any application to reopen that is filed after 45 days from the date of this Order may be denied solely on that basis. Upon the parties’ filing of a fully executed copy of the Settlement Agreement, the Court will so order the Stipulation and Order of Dismissal with Prejudice attached as Exhibit B to the prior version of the settlement agreement docketed at ECF No. 40.

The Clerk of the Court is respectfully directed to close the case.

Dated: November 12, 2021
White Plains, New York

SO ORDERED.

A handwritten signature in black ink, appearing to read "Andrew Krause", written over a horizontal line.

ANDREW E. KRAUSE
United States Magistrate Judge